248 2239522

REMARKS

Applicant wishes to thank the Examiner for considering the present application. In the Office Action dated September 8, 2005, claims 1-40 are pending in the application. Claims 29-40 were withdrawn from consideration and canceled above. Thus, Claims 1-28 are pending in the application. Applicant respectfully requests the Examiner to reconsider the rejections.

Claims 1-28 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-19 of U.S. Patent 6,776,372. Applicant has submitted herewith a Terminal Disclaimer. Applicant believes that the Terminal Disclaimer overcomes this rejection.

Claims 1-28 stand rejected under 35 U.S.C. §103(e) as being obvious over U.S. Patent 6,776,372.

Under 35 U.S.C. §103(c), the 6,776,372 patent qualifies as prior art under §102(e). This is noted by the Examiner on page 3 of the Office Action. Each of the references is assigned to The Boeing Company. Therefore, §103(c) applies and the 6,776,372 patent is no longer available as prior art. Therefore, Applicant respectfully requests the Examiner to reconsider this rejection.

In light of the above remarks, Applicant submits that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney. Please charge any fees required in the filing of this amendment to Deposit Account No. 50-0476.

Respectfully submitted,

Kevin G. Mierzwa, Reg. No. 38,049

Artz & Artz, P.C.

28333 Telegraph Road, Suite 250

Southfield, MI 48034

(248) 223-9500

(248) 223-9522

Date: 12-2-2005